



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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October 17, 2006

IN REPLY PLEASE

REFER TO FILE: WM-3

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**MEMORANDUM OF UNDERSTANDING TO ESTABLISH
A REGIONAL WATER MANAGEMENT GROUP TO PREPARE
AND ADOPT AN INTEGRATED REGIONAL WATER MANAGEMENT PLAN
FOR THE GREATER LOS ANGELES COUNTY REGION
ALL SUPERVISORIAL DISTRICTS
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

Authorize the Chief Engineer of the Los Angeles County Flood Control District (District), or his designee, to execute a Memorandum of Understanding (MOU) substantially similar to the enclosed MOU (Enclosure A) with interested parties to (1) establish a Regional Water Management Group (RWMG); (2) participate in the preparation of the Integrated Regional Water Management Plan (IRWMP) for the Greater Los Angeles County Region; and (3) authorize the Chief Engineer of the Los Angeles County Flood Control District, or his designee, as a member of the RWMG, established by the MOU, to take the necessary action to adopt the IRWMP in accordance to the provision of Proposition 50, Chapter 8 and Sections 10530 through 10546 of the California Water Code.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On May 16, 2006, your Board authorized the District to act as the grant administrator and accept a \$1.5 million Proposition 50, Chapter 8 planning grant from the California Department of Water Resources to prepare an IRWMP for the Greater Los Angeles County Region. Subsequently on June 20, 2006, your Board authorized the District to file an application with the California Department of Water Resources, on behalf of itself

and other local entities in the Greater Los Angeles County Region, for Proposition 50, Chapter 8 implementation grants funds, in an amount not to exceed \$25 million, to assist in financing 13 projects in the Greater Los Angeles County Region. The Proposition 50, Chapter 8 grant program and Sections 10530 through 10546 of the California Water Code require the Greater Los Angeles County Region to establish a RWMG to prepare the IRWMP for the Greater Los Angeles County Region and adopt the IRWMP prior to December 31, 2006, in order to be eligible for the implementation grant funding. An MOU has been developed for this purpose. The MOU will be executed by at least three agencies of which two have statutory authority over water supply and other interested parties to meet the requirements mandated under the Proposition 50, Chapter 8 grant program and the California Water Code.

The RWMG will be responsible for the preparation and adoption of the IRWMP for the Greater Los Angeles County Region. The recommendation to the Board is to authorize the Chief Engineer of the District, or his designee, as a member of the RWMG to take necessary action to adopt the IRWMP for the Greater Los Angeles County Region.

Adopting the IRWMP will enable entities within the Greater Los Angeles County Region to apply for implementation grant funding under the Proposition 50, Chapter 8 grant program. It will encourage a regional approach to water resource management by establishing collaborative watershed-based efforts. It will also establish a framework to secure future funding for water resource-related projects.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Organizational Effectiveness by utilizing a collaborative effort to implement projects and the goal of Fiscal Responsibility by actively seeking grant funds to augment the County's funding sources.

FISCAL IMPACT/FINANCING

There will be no impact to the County's General Fund.

The MOU has no funding obligation. The IRWMP is an advisory document and, upon its adoption, will have no binding funding obligation on the District.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The MOU will be executed by interested parties and will establish a RWMG for the Greater Los Angeles County Region.

ENVIRONMENTAL DOCUMENTATION

Execution of the MOU to develop and adopt an IRWMP for the Greater Los Angeles County Region is not a project subject to provisions of the California Environmental Quality Act (CEQA) because it can be seen with certainty that the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment in accordance with Public Resources Code Section 21065 and Section 15378 of the State CEQA Guidelines.

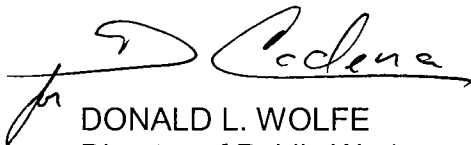
IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no adverse impact on current services. The development and adoption of the IRWMP for the Greater Los Angeles County Region will enhance the quality of life for residents in the region by improving water quality and water reliability while reducing dependence on imported water.

CONCLUSION

Please return three adopted copies of this letter to Public Works.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. Wolfe", with a stylized flourish extending from the end.

DONALD L. WOLFE
Director of Public Works

FK:kk

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Enc.

cc: Chief Administrative Office
County Counsel

Enclosure A

MEMORANDUM OF UNDERSTANDING

FOR

COORDINATION OF WATER RESOURCES PLANNING RELATING TO PROPOSITION 50 GRANT FUNDING AND IMPLEMENTATION

This Memorandum of Understanding (MOU) is entered into as of November ____, 2006, by and among the Los Angeles County Flood Control District, Las Virgenes Municipal Water District, West Basin Municipal Water District, City of Los Angeles Department of Water and Power, Main San Gabriel Watermaster, Watershed Conservation Authority, San Gabriel Basin Water Quality Authority, County Sanitation Districts of Los Angeles County, Gateway Cities Council of Governments, Santa Monica Bay Restoration Commission, and City of Los Angeles Bureau of Sanitation, and any other local public agencies, non-profit groups, and Public Utility Commission regulated entities within the Los Angeles County Region that become signatories as provided herein for the purpose of coordinating water resources planning activities relating to Proposition 50 grant funding and implementation. Signatories to this MOU shall hereinafter be referred to individually as Party or collectively as Parties.

RECITALS

WHEREAS, it is in the interests of the Parties, and the region served by the Parties, that the water resources the Parties share in common are responsibly managed, protected, and conserved to the extent feasible; and,

WHEREAS, the Parties desire to prepare an Integrated Regional Water Management Plan (hereinafter referred to as IRWMP) for the Greater Los Angeles County Region in accordance with the Integrated Regional Water Management Planning Act of 2002, Division 6, Part 2.2 of the California Water Code, and Proposition 50, Division 26.5, Chapter 8 of the California Water Code;

NOW, THEREFORE, it is mutually understood and agreed as follows:

SECTION 1: PURPOSES AND GOALS

1.1 Purposes and Goals:

The Parties desire to coordinate and share information concerning water resources management planning programs and projects and other information for Proposition 50 grant funding and implementation, and to improve and maintain overall communication among the Parties. It is anticipated that coordination and information sharing among the Parties will assist the agencies in achieving their

respective missions in a cost-effective and environmentally responsive manner and contribute to the overall well being of the region.

SECTION 2: JOINT AGENCY PLANNING FOR PROJECTS AND PROGRAMS

2.1 Projects and Programs:

It is the intent of the Parties that they coordinate and collaborate to develop and implement projects and programs individually or jointly in groups. Applicable projects and programs include, but are not limited to, the following:

2.1.1 An IRWMP for the Greater Los Angeles County Region.

2.1.2 Solicitation of external funding for implementation of the IRWMP for the Greater Los Angeles County Region.

2.2 Formation of Regional Water Management Group and Adoption of the IRWMP:

The execution of this MOU by the Parties shall constitute the formation of a Regional Water Management Group, consisting of the Parties, to prepare and adopt an IRWMP for the greater Los Angeles County Region in accordance with the Integrated Regional Water Management Planning Act of 2002 and Section 10541 of the California Water Code for granting activities related to Proposition 50.

SECTION 3: GENERAL PROVISIONS

3.1 **Term:** This MOU shall become effective on the date first above written and shall expire on December 31, 2010 or upon its replacement by the adoption of a subsequent MOU, Agreement, or Joint Powers Authority Agreement, or unless earlier terminated by mutual written agreement of all Parties. Any Party may terminate its participation in this MOU upon 60 days' written notice to the remaining Parties.

3.2 **Addition of Parties:** Other local public agencies (as defined in Section 10533 of the California Water Code), non-profit groups, and Public Utility Commission regulated entities within the Los Angeles County Region may adopt this MOU and, thereby, become a member of the Parties.

3.3 **Construction of Terms:** This MOU is for the sole benefit of the Parties and shall not be construed as granting rights to any person other than the Parties or imposing obligations on a Party to any person other than another Party.

3.4 **Good Faith:** Each Party shall use its best efforts and work wholeheartedly and in good faith for the expeditious completion of the objectives of this MOU and the satisfactory performance of its terms.

- 3.5 **Governing Law:** This MOU is made under and shall be governed by the laws of the State of California.
- 3.6 **Rights of the Parties and Constituencies:** This MOU does not contemplate the Parties taking any action that would:
- 3.6.1 Adversely affect the rights of any of the Parties; or,
- 3.6.2 Adversely affect the customers or constituencies of any of the Parties.
- 3.7 **Execution:** This MOU may be executed in counterparts and the signed counterparts shall constitute a single instrument. The signatories to this MOU represent that they have the authority to bind their respective Party to this MOU.

IN WITNESS WHEREOF, the PARTIES have executed this Memorandum of Understanding as of the dates opposite their respective signatures.

Insert your Agencies Signature Block

Date: _____, 2006